

FILED '09 JUL 06 15:19 USDC-ORE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

RICHARD EVERET LEE GURULE,

Plaintiff,

Civil No. 09-6013-TC

v.

ORDER

CITY OF ROSEBURG, et al.,

Defendants.

COFFIN, Magistrate Judge.

The following motions are before the court:

- 1.) Plaintiff's Motion for leave to file an amended complaint (#23) is denied as moot in view of plaintiff's subsequently filed motion to amend (#41).
- 2.) Plaintiff's Motion for extraordinary expense for the hiring of a private investigator (#29) is denied.
- 3.) Plaintiff's Motion to waive requirement of conformed copies (#31) is denied. Plaintiff has not demonstrated any need for conformed copies of his pleadings. Plaintiff's allegation that his objections to the Findings and

Recommendation (#17) were not received by the court are not correct. Plaintiff's Objections (#21) were received and docketed on April 20, 2009. Judge Aiken's Order (#28) adopting the Findings and Recommendation indicating that no objections had been received was in error. That matter is addressed below.

4.) Plaintiff's Motion for Prohibitory Injunction (#32) is denied. The parties plaintiff seeks to enjoin are not before the court in this proceeding.

5.) Plaintiff's Motion for Order to Waive Copywork Charge (#34) is allowed to the extent that the Clerk is requested to provide plaintiff with a copy of the docket sheet in this case without the usual copy fee.

6.) Plaintiff's Motion to Compel (#36) is denied without prejudice. Defendants are allowed 30 days from the date of this order either provide plaintiff with the requested discovery material or to show cause in writing why plaintiff's motion should not be allowed (ie. state specific objections to the requested material). The Clerk is requested to re-set plaintiff's motion for the court's consideration after the expiration of 30 days.

7.) Plaintiff's Motion for Leave to Re-Submit Objections (#38) is allowed. The record reflects that plaintiff filed timely objections to the Findings and Recommendation (#17). Judge Aiken's Order (#28) indicated that no timely objections had been filed. By this order I hereby refer plaintiff's

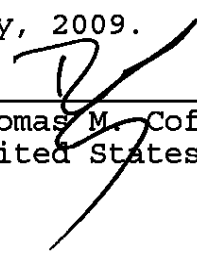
objections to Judge Aiken for her consideration.

8.) Plaintiff's Motion for Leave to File an Amended Complaint (#41) is allowed. The Clerk is directed to file the "Proposed Third Amended Complaint" submitted with plaintiff's motion and it shall become the operative pleading before the court.

9.) Plaintiff's motions (#44), (#46) and (#48) are denied as moot (duplicative of the motions addressed above).

IT IS SO ORDERED

DATED this 6 day of July, 2009.



Thomas M. Coffin
United States Magistrate Judge